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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|---------------------|
| Application Number | 10/804,598 |
| Filing Date | March 19, 2004 |
| First Named Inventor | Rod N. Santomassimo |
| Art Unit | 3764 |
| Examiner Name | Richman, Glenn E. |
| Attorney Docket Number | DEV07001USU |

ENCLOSURES (Check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> Remarks Fees Are As Follows: - \$180 for Information Disclosure Statement - \$ 60 for 1-Month Extension of Time | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): - Form PTO-1449 - Copy of Non-Patent Reference Cited (1) - Credit Card Payment Form |
|---|---|--|

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------|----------|--------|
| Firm Name | The Eclipse Group LLP | | |
| Signature | | | |
| Printed name | Kevin E. Flynn | | |
| Date | August 15, 2008 | Reg. No. | 37,325 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|--------------------|------|-----------------|
| Signature | | | |
| Typed or printed name | Bonnie S. Sheridan | Date | August 15, 2008 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: DEV07001USU
Serial No.: 10/804,598

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Santomassimo et al.

DOCKET NO.: DEV07001USU

SERIAL NO.: 10/804,598

GROUP ART UNIT: 3764

DATE FILED: March 19, 2004

EXAMINER: Richman, Glenn E.

CONFIRMATION NO.: 9559

TITLE: USER INTERFACE FOR A RESISTANCE TRAINING DEVICE AND METHOD OF
USE

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Bonnie S. Sheridan
Bonnie S. Sheridan

August 15, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Sir:

Transmitted herewith is a response to the Office Action mailed on June 16, 2008.

STATUS

Applicant is a small entity.

EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply. A Petition for a One-Month Extension of Time is hereby requested.

A fee of \$60.00 for a One-Month Extension of Time is required.

FEE FOR CLAIMS

The fee for claims (37 CFR § 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) | Small Entity | |
|--|----------------------------------|-------|---------------------------------|---------------|--------------|----------------|
| | Claims remaining after amendment | | Highest no. previously paid for | Present extra | Rate | Additional fee |
| Total | 03 | minus | 36 | = 0 | x \$25 = | \$0 |
| Indep. | 01 | minus | 05 | = 0 | x \$105 = | \$0 |
| First presentation of multiple dependent claim | | | | | + \$185 = | \$0 |
| TOTAL ADDITIONAL FEE | | | | | | \$0 |

* If the entry in column 1 is less than the entry in Col. 2, enter "0" in Col. 3.

** If the "Highest no. previously paid for" in Col. 2, Row 1 is less than 20, enter "20".

*** If the "Highest no. previously paid for" in Col. 2, Row 2 is less than 3, enter "3".

The "Highest no. previously paid for" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment of the number of claims originally filed.

No additional fee for claims is required.

FEE DEFICIENCY

If any additional extension and/or fee is required, please charge Deposit Account No. 50-2542.

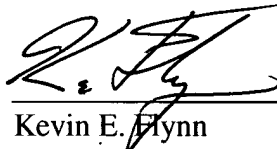
If any additional fee for claims is required, please charge Deposit Account No. 50-2542.

Respectfully submitted,

THE ECLIPSE GROUP LLP

Date: August 15, 2008

By:



Kevin E. Flynn

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

Atty. Docket No.: DEV07001USU

Applicant: Santomassimo et al.

Title: USER INTERFACE FOR A RESISTANCE TRAINING DEVICE AND METHOD OF USE

Date of Deposit: August 15, 2008

Serial No.: 10/804,598

Filing Date: March 19, 2004

Type of Documents: Transmittal Form (PTO/SB/21 – 1 pg);
Amendment Transmittal (3 pgs);
Reply to Office Action Mailed June 16, 2008 and Amendment (5 pgs);
Petition for Extension of Time (PTO/SB/22 – 1 pg);
Information Disclosure Statement (2 pgs);
Form PTO-1449 (1 pg);
Copies of Foreign and/or Non-Patent References Cited (1 ref. – 4 pgs);
Credit Card Payment Form for \$240.00 (PTO-2038 – 1 pg); and
Return Receipt Postcard

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Bonnie S. Sheridan
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